

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:

ELIZABETH SICHINGA

Debtor

PENNSYLVANIA HOUSING FINANCE
AGENCY

Movant

vs.

ELIZABETH SICHINGA and
SCOTT F. WATERMAN, Trustee
Respondents

:
:
: BANKRUPTCY NO. 21-13246-PMM
:
: CHAPTER 13
:
: L.B.R. 9014-3
:
: HEARING: **APRIL 19, 2022**
: AT 10:00 A.M.
: The Gateway Building
: 201 Penn Street, 4th Floor
: Reading, PA 16801
:

**MOTION OF PENNSYLVANIA HOUSING FINANCE AGENCY FOR RELIEF FROM THE AUTOMATIC
STAY TO PERMIT PENNSYLVANIA HOUSING FINANCE AGENCY TO FORECLOSE ON
4013 ARDMORE AVENUE, READING, PENNSYLVANIA**

TO THE HONORABLE PATRICIA M. MAYER, U. S. BANKRUPTCY JUDGE:

AND NOW comes Pennsylvania Housing Finance Agency, by its attorneys, Purcell, Krug & Haller, and files this Motion to obtain relief from the automatic stay pursuant to Section 362(d) of the Bankruptcy Code as follows:

1. That this is a contested matter under Rule 9014 brought pursuant to 11 USC Section 362(d).
2. Movant, Pennsylvania Housing Finance Agency, is a company with an office located at 211 North Front Street, Harrisburg, Pennsylvania 17101.
3. Respondent, Elizabeth Sichinga, is an adult individual whose last known address is 4013 Ardmore Avenue, Reading, Pennsylvania 19605.
4. Respondent, Scott F. Waterman, is the Trustee duly appointed in the above case with a place of business at 2901 St. Larence Avenue, Suite 100, Reading, Pennsylvania 19606.
5. On or about, June 25, 2012, the Defendant executed and delivered a Mortgage Note in the sum of \$152,065.00 payable to MORTGAGE AMERICA, INC., which Note is attached hereto and marked Exhibit "A".
6. Contemporaneously with and at the time of the execution of the aforesaid Mortgage Note, in order to secure payment of the same, the Defendant made, executed, and delivered to original Mortgagee, a certain real estate Mortgage which is recorded in the Recorder of Deeds Office of the within County and Commonwealth on June 28, 2012 as Instrument Number 2012026612 conveying to original Mortgagee the subject premises. The Mortgage was subsequently assigned to PENNSYLVANIA HOUSING FINANCE AGENCY and was recorded on

July 24, 2012 in the aforesaid County as Instrument Number 2012030293. The Mortgage was subsequently assigned to U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY and was recorded in the aforesaid County on November 25, 2014 as Instrument Number 2014038953. On July 29, 2015, U.S. Bank National Association as Trustee for the Pennsylvania Housing Finance Agency and the Defendant executed a Loan Modification Agreement. The Loan Modification Agreement was recorded September 11, 2015 as Instrument Number 2015032105. The Mortgage was subsequently assigned to PENNSYLVANIA HOUSING FINANCE AGENCY and was recorded in the aforesaid County on February 1, 2017 as Instrument Number 2017004090. On July 23, 2018, the Plaintiff and the Defendant executed a Home Affordable Agreement. The Home Affordable Modification Agreement was recorded August 9, 2018 as Instrument Number 2018027199. The said Mortgage, Assignments, Loan Modification Agreement and Home Affordable Modification Agreement are incorporated herein by reference.

7. The land subject to the Mortgage is known and numbered as 4013 Ardmore Avenue, Reading, Pennsylvania 19605.
8. The balance owed Movant is approximately \$178,000.00.
9. Other liens against the property are:
Mortgage: Secretary of Housing and Urban Development, dated 7/25/15 and recorded on 9/11/15 to Instrument No. 2015032106 in the amount of \$37,951.41.
10. Debtors have failed to make three (3) post-petition mortgage payments to Movant at \$1,262.31 each (no post-petition payments made since the bankruptcy filing).
11. Movant is entitled to relief for cause.

WHEREFORE, Movant prays for the entry of an Order terminating the automatic stay and granting Movant leave to exercise its State Court foreclosure rights and that such further relief be granted as your Honorable Court deems fair and equitable.

PURCELL, KRUG & HALLER

By: /s/Leon P. Haller

Leon P. Haller
Attorney for Movant
1719 North Front Street
Harrisburg, PA 17102-2392
(717)234-4178
Attorney ID #15700
lhaller@pkh.com

Dated: March 15, 2022